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*Attorneys for Plaintiff Homeland
Insurance Company of New York*

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF WYOMING**

| | | |
|----------------------------------|---|-------------------------------|
| In re: |) | Case No. 2:16-bk-20326 |
| |) | |
| POWELL VALLEY HEALTH CARE, INC., |) | Adv. No. 2:18-ap-02021 |
| |) | |
| Debtor. |) | |
| <hr/> |) | |
| SCOTT J. GOLDSTEIN, TRUSTEE OF |) | DEFENDANT HOMELAND |
| THE POWELL VALLEY HEALTH CARE, |) | INSURANCE COMPANY OF |
| INC., PERSONAL INJURY TRUST, |) | NEW YORK’S NOTICE OF |
| |) | MOTION AND MOTION TO |
| Plaintiff, |) | WITHDRAW THE REFERENCE |
| |) | FROM THE BANKRUPTCY |
| |) | COURT |
| v. |) | |
| |) | |
| HOMELAND INSURANCE COMPANY |) | |
| OF NEW YORK, and WYOMING |) | |
| FINANCIAL INSURANCE, INC., |) | |
| |) | |
| Defendants. |) | |
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Pursuant to 28 U.S.C. § 157(d), Federal Rule of Bankruptcy Procedure 5011, Local Civil Rule 85(c) and Local Bankruptcy Rule 5011-1, Defendant Homeland Insurance Company of New York (“*Homeland*”) files this Motion to Withdraw the Reference of this Adversary Proceeding to the District Court (“Motion”).

Title 28, Section 157(d) of the United States Code specifies that a District Court may withdraw any case or proceeding from the Bankruptcy Court upon timely motion of any party, for cause shown. As set forth in greater detail in the accompanying Memorandum of Points and Authorities, this Motion has been timely filed. Additionally, cause exists to withdraw the reference—effective immediately—because (i) Homeland is entitled to a jury trial in this Adversary Proceeding, (ii) the Bankruptcy Court cannot enter final rulings, (iii) it would conserve judicial and party resources, (iv) it will reduce forum shopping, and (v) it will further uniform administration of the estate.

This Motion is based upon this Motion, the above-specified statute and rules, the Memorandum of Points and Authorities filed concurrently herewith, the Request for Judicial Notice filed concurrently herewith, the records on file in this matter, and such other and further oral and written evidence that the Court may consider at the hearing on the Motion.

Dated: July 30, 2018

/s/Patrick T. Holscher

Patrick T. Holscher (5-2724)

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CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of July, 2018, I electronically filed the foregoing with the clerk of the court by using the CM/ECF system, which will send notice of electronic filing to all CM/ECF participants.

/s/Patrick T. Holscher

Patrick T. Holscher